

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, January 26, 2021 at 3:00 P.M. via Video-Conferencing**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, January 26, 2021, at 3:00 P.M. by Video Conference.

CALL TO ORDER – Meeting was called to order at 3:01 P.M. by Mayor Prud'homme-Bauer.

Town Council:

Mayor Robyn Prud'homme-Bauer
Vice Mayor Debbie Hunseder
Councilmember Bill Regner
Councilmember Marney Babbitt-Pierce
Councilmember Lisa O'Neill

Design Review Board:

Chair Kerrie Snyder
Marsha Foutz
Matthew Kaempfe
Andrew Kelly
Fred Hartshorn

Town Staff:

Town Manager Tracie Hlavinka
Public Works Director Maher Hazine
Police Chief Randy Taylor
Interim Finance Director Rob Sweeney
Parks and Recreation Manager Joni Westcott
Community Development Director Ruth Mayday
Project Manager Mike Gray
Human Resources Manager Annie Oddonetto
Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Reports** - Approval of written Reports from Town Departments and Other Agencies
Building Permit Report – December 2020
Capital Improvements Report – October, November 2020
Magistrate Court Report – November, December 2020

Water and Wastewater Report – October, November 2020
Police Department Report – November, December 2020
CAT/LYNX Transit Report – November, December 2020
Verde Valley Humane Society – December 2020

Councilmember Regner pulled this item from Consent in order to comment on the Water/Wastewater improvements made by the Public Works Department. Public Works Director Maher Hazine was available to inform Council of improvements in water conservation.

Action: Approve Consent Agenda Item A as presented.

Motion: Councilmember Regner

Second: Vice Mayor Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Babbitt-Pierce	Aye
Vice Mayor Hunseder	Aye
Council Member O'Neill	Aye
Mayor Prud'homme-Bauer	Aye
Councilmember Regner	Aye

NEW BUSINESS

CLARKDALE-JEROME SCHOOL UPDATE ON RE-OPENING – Clarkdale-Jerome School Superintendent, Danny Brown, provided an update to the Council on plans for the school's progress and challenges with respect to COVID-19 precautions.

Action: This is a presentation only. No Council action is required.

JOINT SESSION WITH TOWN COUNCIL AND DESIGN REVIEW BOARD – A joint work session with Town Council and Design Review Board to discuss current priorities and issues.

The Design Review Board has been invited to meet with Town Council in a joint work session on Tuesday, January 26 at 3:00 p.m.

The Design Review Board consists of the following members:

Chair	Kerrie Snyder
Vice Chair	Matthew Kaempfe
Commissioners	Marcia Foutz
	Fred Hartshorn
	Andrew Kelly

The purpose of the Design Review Board, as defined in Section 17-4-1 of the Town Code is:

"... to review the landscaping and exterior design of proposed new buildings, commercial signage, proposed alterations to buildings, excluding single-family residences, and major development or redevelopment projects to assure that they are compatible with the surrounding environment and to preserve and protect the integrity and character of the Town."

2019/2020 Design Review Board Activity:

- Approval of APS Substation design
- Revisions to Landscape Ordinance finalized
- Review and approval of several signage applications
- Amendments to Chapter 11, Site Plan Review
- Approval of several signage applications
- Approval of Gather tiny home development
- Sidewalk Café Permits for Smelter Town Brewery and Main Street Café

2021 Goals and Objectives

1. Joint meeting with the Historic Preservation Commission to establish Design Guidelines based on Chapter 5, Downtown District: Design Principals and Guidelines from Spring 2020 ASU Planning Project
2. Review and revise Focus Area Plans for Broadway and Bitter Creek Industrial Park
3. Joint meetings with Historic Preservation Commission to review and approve projects in Historic downtown Clarkdale.

Community Development Director Ruth Mayday introduced this item to Council and summarized the discussion.

Design Review Board Chair Kerrie Snyder called the DRB meeting to order at 3:44 p.m. and adjourned at 4:21 p.m.

Action: This is a discussion item only.

WORK SESSION REGARDING ZONING CODE AMENDMENTS – Discussion of proposed text amendments to Chapter 2, Definitions, Chapter 3, Zoning Districts, and Chapter 4, General Provisions to further regulate the manner and placement of campgrounds and recreational facilities within Clarkdale.

Summary: The purpose of the proposed text amendments is to adopt development standards for campgrounds and Recreational Vehicle Parks in Clarkdale. Currently, the zoning code is largely silent as to the regulation of these uses, meaning that there are no

additional requirements for setbacks, landscaping, signage, and outdoor lighting other than the minimums set forth in individual zoning districts. To provide consistent regulation of this use and protect adjacent property owners from adverse impacts, staff proposes amending the code to regulate this use.

Background: A review of the Town of Clarkdale's Zoning Code determined that there are few regulations relating to Recreational Vehicle Parks (RV Parks) and Campgrounds. As a result, staff has little to no ability to regulate this use or establish minimums for development of these facilities; public bodies are also limited in what they can consider with respect to approvals of these projects.

Staff has reviewed zoning ordinances from several jurisdictions in Yavapai County as well as the County regulations for campgrounds and RV parks. In doing so, staff has focused on development standards and use regulations that would provide clear and consistent bases for review of proposed projects.

Current Regulations

Chapter 2 Definitions provides a brief description of Recreational Vehicles only

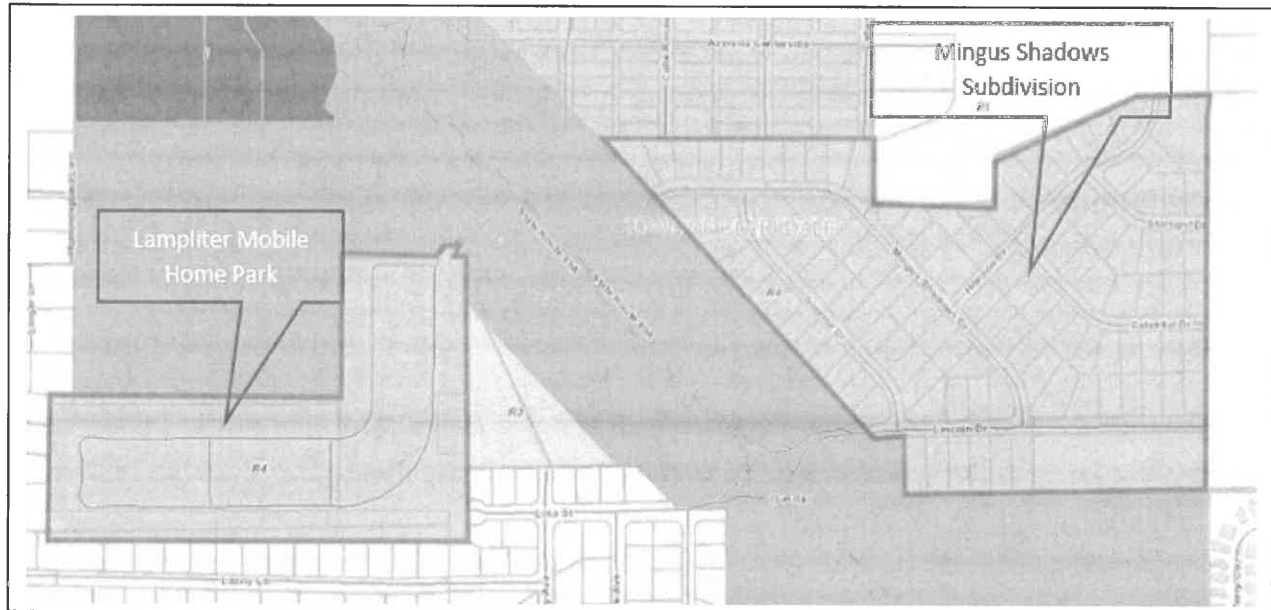
Chapter 3 Zoning Districts Section 3-070 Manufactured Home Residential (R4) allows Recreational Vehicle Parks as a permitted use (use by right), but does not include any development standards or use requirements. Section 3-100 Commercial (C) Subsection C (4) allows Campsites and recreational vehicle parks as a Conditional Use (requiring a Use Permit). Both Section 3-110 Neighborhood Commercial (NC) and Section 3-120 Highway Commercial allow this use as a Conditional Use, but limits stays to 30 days or less

Chapter 4 General Provisions Section 4-020 Campers and Motor Homes prohibits their use as a residence, in conjunction with the definition and description set forth in Town Code Chapter 10 Offenses, Article 10-1-20 Camping Prohibited, which sets forth the two-week limitation for camping on private property, prohibits use of the RV's as residences except in conjunction with an active building permit.

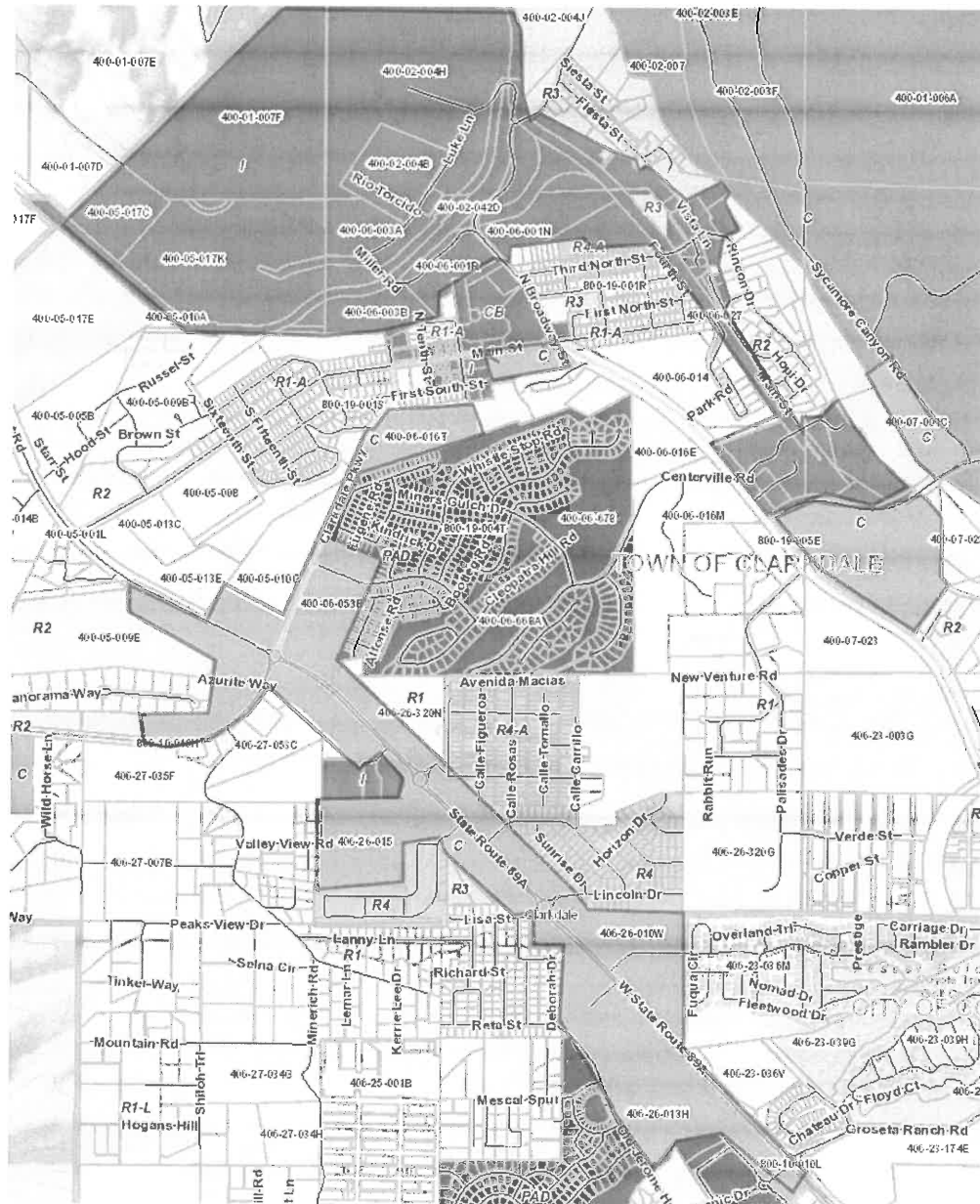
Diminution of Value (Prop 207)

Since approval of the Private Property Rights Protection Act in 2006 and as amended in 2015, the adoption of new land use regulations has been colored by caution, as municipalities could find themselves in trouble if the action taken diminishes the ability to "use, divide, sell, or possess private real property are reduced by the enactment or applicability of any land use law enacted *after the date the property is transferred to the owner and such action reduces the fair market value of the property...*". Further, A.R.S. 12-1134 (I) allows municipalities to reach an agreement with private property owners to waive claims for diminution of value.

The impact of these regulations with respect to diminution of value would be minimal. The only zoning district where Recreational Vehicle Parks are a principal permitted use is in Manufactured Home Residential (R4); the acreage currently zoned thusly is as follows:



Mingus Shadows subdivision is a platted subdivision with few remaining vacant lots; lots are individually owned and not subject to a common management plan. Lampliter Mobile Home Park is a long-established mobile/manufactured home park containing approximately 115 single- and doublewide manufactured homes. Unlike Mingus Shadows, residents of Mingus Shadows do not own the land upon which their unit sits, and the park is professionally managed.



With respect to the properties zoned Commercial, Neighborhood Commercial, and Highway Commercial, campgrounds and RV parks are conditional uses; as such, they are subject to conditions imposed by the municipality. Thus, an owner of land assigned any one of these zoning districts would have a difficult time arguing that the adopted standards would diminish the value of their property as the municipality is free to establish conditions of approval to protect adjacent property owners from the negative impact of the project.

Because staff has proposed limiting building height and setting a maximum number of units per acre, this item is subject to additional notification pursuant to A.R.S. 9-463.04 A (4).

Definitions: Defining terms is critical in determining what is and is not considered to be included in a specific use. Several jurisdictions have used a more detailed description of Recreational Vehicle, and staff suggests replacing the existing definition with the one below:

CAMPGROUND: Any lot, parcel, or tract of land used, designed, maintained, and intended for rent of plots, sites, or areas to accommodate temporary camping by the traveling public, with or without sanitary facilities and water, whether or not a charge is made for use of the park and its facilities.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use; which either has its own motive power or is mounted on or drawn by another vehicle, including the following types of vehicles:

- a. A portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping;
- b. A motor home designed to provide temporary living quarters for recreational, camping, or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle;
- c. A park model trailer or tiny house built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, except that it does not include fifth wheel trailers;
- d. A travel trailer or tiny house mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle, and has a trailer area of less than three hundred twenty (320) square feet. This includes fifth wheel trailers. If a unit requires a size or weight permit, it must be manufactured to the standards for park trailers in the American National Standards Institute Code; or
- e. A portable truck camper constructed to provide temporary living quarters for recreational, travel, or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck.
- f. A recreational vehicle shall not be considered a dwelling or occupied as such, and is not a manufactured home.

RECREATIONAL VEHICLE PARK: Facilities for the temporary storage, parking, and maneuvering of recreational vehicles with adequate roads and stall sites, including sanitary and water facilities. Site locations are provided on a daily, weekly, or monthly basis. Does not constitute a mobile or manufactured home park.

TRAILER (PARK MODEL) - A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square

feet and not more than four hundred (400) square feet when it is set up, and manufactured to comply with ANSI A119.5 standards, except that it does not include recreational vehicles, travel trailers, campers or fifth wheel trailers.

Proposed Amendments to Zoning Code: In addition to the definitions for Campground, Recreational Vehicle, Recreational Vehicle Park, and Trailer (Park Model), staff proposes amendments to Chapter 4, General Provisions, Section 4-020 Campers and Motor Homes. In doing so, the additional regulations would apply to all zoning districts where Campgrounds and Recreational Vehicle Parks are either permitted or conditional uses.

Section 4-020 ~~Campers and Motor Homes~~ Campgrounds and Recreational Vehicle Parks

- ~~A. Self-powered vehicle or travel trailers not designed for attachment to a lot shall not by any definition be deemed a residence or used as such in any zoning district except in accordance with Section 10-1-21 of the Town Code of the Town of Clarkdale, Arizona, or during construction and only so long as a building permit for construction remains in force, and not to extend beyond the date of the issuance of a Certificate of Occupancy. Power for the RV's or travel trailer shall be provided through the establishment of a temporary power connection of adequate amperage, on a free-standing pole of adequate construction~~
- A. Purpose and Intent: The purpose of this section is to provide regulations and standards for development of campgrounds and Recreational Vehicle parks (RV park), and accessory uses such as recreational and community sanitary facilities. For the purposes of this Section, the words "space", "stall", or "site" shall indicate the individual area used by a single RV or as a single campsite and shall be used interchangeably.
- B. No Recreational Vehicle (RV), Self-powered vehicle, travel trailer, tents, or other thing designed for temporary, recreational, or itinerant use shall by any definition be deemed a residence or used as such in any zoning district except in accordance with Section 10-1-21 of the Town of Clarkdale, Arizona.
- C. RV's and travel trailers may be used as temporary residences during construction and only so long as a valid building permit for construction remains in force, and not to extend beyond the date of the issuance of a Certificate of Occupancy. Power for the RV's or travel trailer so employed shall be provided through the establishment of a temporary power connection of adequate amperage, on a free-standing pole of adequate construction
- D. General Requirements:

1. Campgrounds and Recreational Vehicle parks shall be developed in accordance with Chapter 6 Standards for Planned Unit Development and Planned Area Development; Article 6-020 Standards for Planned Area Development.
2. No Certificate of Occupancy shall be issued until the developer can demonstrate compliance with all health laws and regulations of the State of Arizona and Yavapai County.
3. Each lot, parcel, or tract of land used for a campground or RV park shall have a minimum of three (3) acres.
4. Service buildings associated with the campground or RV park, including utilities, management office, repair shop, equipment storage, sanitary facilities, laundry facilities, and recreational facilities are permitted accessory uses. Maximum building height shall not exceed two (2) stories or 35', regardless of zoning district.
5. Campgrounds shall provide plumbed sanitary facilities in a permanent structure and shall provide one (1) men's and one (1) women's toilet, lavatory, and shower for each 15 spaces, subject to the requirements of the adopted building and plumbing codes.
6. No campground or Recreational Park space, site, or plot shall be occupied unless and until thirty percent (30%) of the total planned area or ten (10) spaces, sites, or plots are completely prepared and equipped for use in all respects, as well as all driveways, on-site circulation features, laundry facilities, and bath, wash, and toilet facilities.
7. A financial assurance may be required at the discretion of the Community Development Director.

E. Development Standards

1. Each RV space shall have an area of not less than 1,800 square feet, and a width of no less than twenty-five (25) lineal feet. (*This is typical area for RV spaces across jurisdictions*)
2. Each camping space shall have an area of not less than 1,000 square feet, and a width of no less than twenty-five (25) lineal feet.
3. Maximum lot coverage, including all buildings, RV spaces and campsites, and paved areas shall not exceed 60% of the lot area, unless otherwise indicated. (*Current lot coverage in R4 is 40%; C, NC, and HC have no minimum lot coverage or floor area ratio*)
4. The maximum density shall be twelve (12) sites per acre.
5. All utility lines, cable TV and electric transmission lines under 12,000 volts shall be placed underground within a campground or park.
6. On-site circulation and parking shall be as follows:
 - a. A minimum of two (2) off-street parking spaces will be provided on each camping or RV site. The parking spaces and the drive shall be dust-proofed and surfaced with crushed rock or similar material and may be configured in a tandem design.
 - b. Guest parking shall be provided at a minimum ratio of one (1) parking space for each five (5) camping or RV spaces and surfaced with dust-free materials.

- c. Interior drives or roadways within a campground or RV park shall be paved to a minimum width of twenty-two feet.
 - d. A minimum of two (2) vehicular entrances shall be provided; one (1) entrance may be used as an emergency access and closed to the public.
 - e. Street lighting shall be provided along park streets for the safety of pedestrians and shall comply with the outdoor lighting provisions of Chapter 8 Outdoor Lighting of this code.
7. The minimum distance from any portion of the camping or RV space from lot lines shall be as follows:
- a. From front space line: five (5) feet from the nearest edge of an interior drive or roadway.
 - b. From the rear space line: five (5) feet
 - c. From other space boundaries not in common with the edge of an interior drive or roadway: Five (5) feet.
 - d. From an exterior boundary of the park abutting public streets: twenty (20) feet; from all other exterior park boundaries: ten (10) feet.
 - e. From another recreational vehicle on an adjoining space: ten (10) feet.
8. Landscaping and Signage requirements are as follows:
- a. Landscaping shall be installed in accordance with Chapter 9 Landscape Design Standards of this code.
 - 1. Refuse collection areas shall be central to the campground or park and screened from public view.
 - 2. Campgrounds and RV parks shall be screened in an attractive manner from surrounding lots by a solid wall, fence, or suitable planning as follows:
 - i. Front yards and street facing yards: Not less than four (4) feet in height nor greater than six (6) feet in height
 - ii. Any other yard: six (6) feet in height
 - iii. A 20' landscaping strip shall be maintained as a landscaped area on the perimeter of all campgrounds or RV parks.
 - iv. When adjacent to any single-family residential district, the finished side of the fence or wall shall face the residential use and be set back from the property boundary by a twenty (20) foot buffer area. The buffer area shall be landscaped in accordance with the requirements of Chapter 9 Landscape Requirements of this code.
 - b. Signage shall be in compliance with Chapter 7 Signs of this code.

Hearings: At the September 22, 2020 meeting of Town Council, staff requested direction regarding the initiation of text amendments concerning campgrounds and Recreational Vehicle Parks. Council directed staff to draft the amendments for discussion at a future meeting. Draft amendments were then considered at the October 27, 2020

Special Meeting of Town Council; it was the consensus of Council to initiate the text amendments.

The Planning Commission held a public hearing on January 19, 2021 to take comment on the proposed text amendments. Staff will update Council regarding the comments received and recommendation from the Planning Commission.

Because the proposed changes will entail changes set forth in A.R.S. 9-462.04, (decrease maximum building height from 50' to 35'; limit number of units to a maximum of 12 units per acre) additional public hearings with specific notification will be required.

Community Development Director Ruth Mayday provided information on this agenda item to Council. Mayor Prud'homme-Bauer stated that this was a work session for Council and staff and would not be open for public comment.

Action: Council review and comment on proposed text amendments. No formal action required.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.

Strategic Planning Session scheduled for February 16, 2021 from 9 a.m. to 5 p.m.

ADJOURNMENT: Without objection Mayor Robyn Prud'homme-Bauer adjourned the meeting at 4:56 P.M.

APPROVED:



Robyn Prud'homme-Bauer, Mayor

ATTESTED/SUBMITTED:



Mary Ellen Dunn, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 26th day of January 2021. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 10 day of February, 2021.

SEAL



Mary Ellen Dunn, Town Clerk